

AMENDED IN ASSEMBLY AUGUST 25, 2005

AMENDED IN ASSEMBLY JUNE 30, 2005

AMENDED IN SENATE APRIL 6, 2005

SENATE BILL

No. 618

Introduced by Senator Speier

February 22, 2005

An act to add Section 1203.8 to the Penal Code, relating to sentencing.

LEGISLATIVE COUNSEL'S DIGEST

SB 618, as amended, Speier. Sentencing: programs.

Under existing law, the Legislature finds and declares that programs should be available for inmates, including educational programs that are designed to prepare nonviolent felony offenders for successful reintegration into the community. Under existing law, the Legislature encourages the development of policies and programs designed to educate and rehabilitate nonviolent felony offenders.

This bill would authorize a county to develop a multiagency plan to prepare and enhance nonviolent felony offenders' successful reentry into the community, and would require that plan be developed by, and have the concurrence of, the presiding judge, the chief probation officer, the district attorney, the local custodial agency, and the public defender, or their designees, for submission to the board of supervisors for its approval. The bill would further authorize the Department of Corrections *and Rehabilitation* to enter into an agreement with ~~that county~~ *up to 3 counties* to implement the above provisions and to provide funding for the purpose of the probation department carrying out its assessments, and would make specified findings and declarations in that regard.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares that the
2 successful reintegration of parolees into society depends upon the
3 ~~offender's~~ proper assessment of *the offenders'* risks and needs
4 prior to entry into the prison system and appropriate direction of
5 offenders into facilities and programs that are available to
6 address risks or needs.

7 (b) The Legislature recognizes that the transfer of the
8 assessment function from the Department of Corrections *and*
9 *Rehabilitation* to the community in which an offender committed
10 his or her crime and to which the offender will likely be paroled
11 may represent an effective and efficient means to perform an
12 assessment.

13 (c) The Legislature encourages the participation of the
14 Department of Corrections *and Rehabilitation* and interested
15 counties to develop and implement plans to transfer assessment
16 functions to local probation departments and courts, with the goal
17 of improving public safety in the community and to better enable
18 parolees to become contributing members of society.

19 SEC. 2. Section 1203.8 is added to the Penal Code, to read:

20 1203.8. (a) A county may develop a multiagency plan to
21 prepare and enhance nonviolent felony offenders' successful
22 reentry into the community. The plan shall be developed by, and
23 have the concurrence of, the presiding judge, the chief probation
24 officer, the district attorney, the local custodial agency, and the
25 public defender, or their designees, and shall be submitted to the
26 board of supervisors for its approval. The plan shall provide that
27 when a report prepared pursuant to Section 1203.10 recommends
28 a state prison commitment, the report shall also include, but not
29 be limited to, the offender's treatment, literacy, and vocational
30 needs. Any sentence imposed pursuant to this section shall
31 include a recommendation for completion while in state prison,
32 all relevant programs to address those needs identified in the
33 assessment.

34 (b) The Department of Corrections *and Rehabilitation* is
35 authorized to enter into an agreement with ~~a county or counties~~

1 *up to three counties* to implement subdivision (a) and to provide
2 funding for the purpose of the probation department carrying out
3 the assessment. The Department of Corrections *and*
4 *Rehabilitation*, to the extent feasible, shall provide to the
5 offender all programs pursuant to the court's recommendation.

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